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Welcome to our Spring/ Summer edition of the SOFHT Focus. With the warm weather across the UK this summer, it reminds us of the challenges that the heat brings for food safety. BBQ season, festivals, outside catering and preserving the chill chain are only a few of the issues our businesses may face!

In this edition we look at the challenges on the use of biocides in our industry and we also have a reflection on the SOFHT Mock trial and the lessons that can be learned from these types of events. We also have a round up feature from Ian Thomas on the regulatory highlights over the last few months.

Thanks to all our contributors and to the SOFHT team for pulling this edition together with limited resource. As always we rely on people giving their time and expertise to SOFHT so its members can benefit. Please also look for us on Twitter and Facebook so you can receive up to the minute information on our upcoming events and training.

Fiona Kibby, Editor SOFHT Focus
Update from Alan Lacey, SOFHT Chairman

Welcome to our latest SOFHT Focus! In Food Hygiene news we have seen publicity on Campylobacter, this has been disappointing with lots of finger pointing over league tables and “supermarkets’ responsibility”. It would be good to see some balanced reporting on the problem with some coverage on the work that is going on across the whole industry to reduce the risk. Plus of, course, some clarity on the ways that food poisoning from Campylobacter can be easily avoided. Our excellent SOFHT conference in March covered all aspects of the debate – my thanks to all for their contributions.

The new sentencing guidelines slipped in with very little publicity. SOFHT organised a briefing on the guidelines in conjunction with Greenwoods and with excellent input from our friends at Six Pump Court (more from Ian Thomas in this edition). So, good news - food cases need no longer be subject to the lottery of a hearing in a magistrates court. Bad news - the cap on fines has been removed. Watch this space.

There have also been some interesting developments on the GM front - while there are indications of a softening of approach in Europe, in the USA Hersheys have declared that they are going GM free and hundreds of “celebrities” (not sure how many names we’d recognise) have signed a petition against GM foods. Quite a change round!

In June we held our annual AGM and I extend a warm welcome to Rob Belton, Director of HSEQ Ashfords to our Board. We would also like to thank Heather McLucas for her fantastic contribution last year as she steps down from Council to focus on her role at Muller Wiseman Dairies - and also her wedding this year . Many congratulations Heather.

Alan Lacey, Chairman

Rob Belton Director of HSEQ for Ashfords LLP

Rob recently managed the provision of support to all areas of Sainsbury’s in the event of any regulatory challenge relating to food safety, health & safety and environmental health / environmental issues. He is an Environmental Health Practitioner with experience in both the public and private sectors and advised the business on the strategic impact of existing and emerging enforcement practice and policies as adopted by central and local government agencies.

Rob supported the development of policies and procedures to mitigate the risk of non-compliance with key legislation and reviewed proposed legislation in relevant policy areas to determine the impact on Sainsbury’s and supported the adaptation of company policy and process. He acted as the department’s lead manager on all Food safety / Health and Safety / Environmental Health and Environment enforcement issues and maintained and developed the Primary Authority partnership.

Rob represented the company on relevant national forums such as BRC, IOSH, CIEH, RIPH, HSE, LBRO and other Government bodies.

Rob is now Director of HSEQ for Ashfords LLP, a top 100 Law firm, where he heads up their HSEQ consultancy.

Cert ID’s hard work internationally has been recognised by an invitation to attend a Royal Garden Party at Buckingham Palace in May

Richard Werran said ‘It was a once in a lifetime opportunity to meet the Royal family, a memorable day’.

With UK Trade & Investment (UKTI) support, Cert ID has been able to visit and explore overseas food certification market opportunities and as a result secured key clients in Australia, China, Middle East and India. Today, Cert ID is now currently setting up Cert ID Asia Pvt Ltd in Mumbai to service the expanding SE Asian markets. Richard Werran, MD of Cert ID Europe has been an invited speaker at UKTI events to encourage other UK companies to access valuable support available to them from UKTI enabling them to pursue business opportunities in overseas markets. Robert Lawley, Head of UK Trade & Investment UKTI, for Staffordshire and responsible for the largest team of advisers in the West Midlands UKTI said ‘Working with Cert ID has been a pleasure. The company has a clearly defined market entry strategy which UKTI was very happy to help implement though our global network of staff based in Embassies, High Commissions and Consulates across the world. A lot of UK companies think we only help companies with an enormous turnover, but that is far from the truth, in fact the majority of companies we support are at the ‘smaller’ end of the SME range. I am delighted that Cert ID is going from strength to strength in overseas markets and look forward to working in close collaboration to help them win business in yet more markets’.

NEW MEMBERS

We are pleased to welcome the following members to SOFHT who have joined since the last issue of SOFHT Focus.

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<td>John Dobson</td>
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It’s that time of year again, when you have the opportunity to nominate a person, product or company within the food industry (and its suppliers) for a SOFHT Award.

It’s your chance to recognise excellence throughout the industry and have your say as to who scoops these prestigious awards at the SOFHT Annual Lunch on 19th November at The Savoy, Strand, London, NC2R 0EU.

There are seven categories involved, including the new Best Student Award, and we ask that all nominations are received by the closing date Friday 28th August 2015 either online at www.sofht.co.uk by post to: The Granary, Middleton House Farm, Tamworth Road, Middleton, Staffs B78 2BD or fax-back to 01827 875 800.

Thank you to our sponsors of this year’s awards: Waitrose, Tate & Lyle Sugars, Rokill, 3M, Cert ID Europe, Rentokil and Alcontrol Laboratories

Winning or even being a finalist for one of these awards will not only put you among an elite band of companies, it will also raise the marketing potential of your brand and provide you with an accolade that is highly respected throughout the industry. Please see the attached nomination form for more details.

Visit our website www.sofht.co.uk and refer to the entry rules and process.
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The world’s leading away from home skin care company
Biocides have been long-used in the food industry for the disinfection of production plants, food containers, and transportation, the control of microbial growth in food and drinks, and the decontamination of carcasses. Some have also been used as pesticides when growing produce.

Industry-preferred biocides
A stronghold of manufacturers and suppliers have made it their mission to develop superior hygiene solutions, tailored to the bespoke needs of the food manufacturing industry. Understanding key pathogens, such as Listeria, Salmonella, E.coli O157 and Campylobacter, has led to a range of biocidal solutions for industry based on superior technologies and targeted efficacy, minimizing the risk of a foodborne pathogenic outbreak.

Responsible selection of biocidal systems
A user is required to understand biocidal efficacy, whether it’s Quaternary Ammonium Compounds (QAC/QUATS), Chlorine, Ozonated water, Peracetic Acid (PAA) or Hydrogen Peroxide amongst others whilst ensuring that they meet their budget requirements. They should ensure the operators are sufficiently supported and trained in the use of the chemical, that the cleaning cycle is not lengthened by the disinfection regime and understand whether or not the chemical needs to be rinsed from the surface before use, adding water and more risk back into the production cycle. The user is also expected to keep up to date with the legislative and regulatory environments, ensure their suppliers are on top of the current and future requirements and are behaving accordingly.

The changing regulatory landscape
Never has there been more legislative changes impacting on the food industry.
Some biocides that are regularly used in industry will now be labelled as corrosive, carcinogenic or damaging to respiratory systems at higher concentrations although while in use, the labelling and risk to the user is unchanged. There continues to be a great debate by experts about applying the precautionary principle which has led to these classifications by the EU in opposition to other global regulatory bodies and based on new interpretations of historic studies will clarify hazard to the food industry and the public as opposed risk. Should a concentrate that will be never used in its concentrated form, will always be handled with PPE to dilute to ready to use, be banned from a factory yard by Health & Safety purely as the label identifies a hazard from misuse as opposed to the risk from correct use?

Biocidal Product Regulations
Furthermore we have the implementation of Biocidal Product Regulations. The biocides themselves have been or are being reviewed and in some cases are no longer supported for use. The number of available biocides for use across all of the different 22 Product Types (including Food - PT4) has decreased from well over 750 to now less than 250, and it becomes apparent that the selection of the right biocide to meet all of these challenges is becoming increasingly difficult.

As the actives are added to the European Register, so-called Article 95, manufacturers will be required to move from the current system of ensuring compliance to producing dossiers for all the formulations they place for sale. As with many implementations of legislation, timings, cost and even process are still a moving feast, but conservative estimates suggest investment in resource to prepare the dossier, generating additional data and the fees to be paid could set a manufacturer back hundreds of thousands of pounds per formulation/dossier. This is likely to have a dramatic impact on the number of biocides available to industry and their costs, which will be passed on in some ways to consumers. Many small businesses who are integral to the chemical industry are likely to fall by the wayside as their pockets won’t be deep enough nor do they have the luxury of armies of regulatory experts at the disposal of the larger players.

Maximum Residue Levels (MRL)
One of the preferred biocides in industry are Quaternary Ammonium Compounds (QUAT). They are broad spectrum biocides and allow for a lower quantity of the biocides to be present in solution for the performance required. They remain one of the most efficacious biocides readily available and easy to handle. Ubiquitous, they’re also cost-effective for users and with the reduced availability of other biocides; increasingly the Industry has become dependent upon QUAT.

Recently though, QUAT have themselves become embroiled in restrictions on use due to their dual use historically as a Pesticide. And as a pesticide, QUAT have had a Maximum

But the legislation, as often is, is a minefield and in some cases seems to consider the very real risk of food poisoning less important that the broader discussion around the use of chemicals.

Classification, Labelling & Packaging Regulations
CLP – Classification, labelling and packaging – first tabled in 1992 at the Rio Earth Summit seeks to harmonise the classification, labelling and packaging of chemicals globally. There are exceptions of course with some countries selecting and rejecting some parts of the legislation. The system is a hazard based system with the 12 categories of danger under DSD/DPD being replaced by 28 hazard categories. In practical terms, the labelling system moves from a maximum of 2 orange and black symbols to a maximum of 5 red and black pictograms. Mixtures sold into the supply chain from 1st June 2015 will adhere to these new regulations, with industry having two years to move already existing stock through the supply chain.
This unique lateral flow test is the first of its kind and can screen for the presence of six tree nuts at low levels of detection with results in only ten minutes.

Designed to detect almond, hazelnut, pecan, walnut, cashew and pistachio, either singly or in combination on environmental swabs, rinses and validated food matrices.

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Residue Level imposed for the use of Food Produce of 0.1 mg/Kg (from 12th August 2015). In most Food Produce factories, it is possible that such a MRL will be exceeded and belatedly lobbying attempts to relax this limit are ongoing. Even with potential challenges that are being mounted with the UK Regulatory Authority, in the very short term, it seems very unlikely that this level will be changed. Indeed the EU Commission is now discussing whether MRL’s should also be imposed on all biocides that are used in Food Disinfection.

While such a stance is in many ways understandable, as no one can imagine that consumers want to digest biocides with their Food, equally this fails to recognise the low toxicity of QUAT, for which long term dietary studies fail to lead to significant systematic toxicity and following the standard risk assessment approach by applying the default safety factors on the lowest available No Observed Adverse Effect Level (NOAEL) from a very extensive database of performed studies with these compounds, levels up to 16 mg/kg in foodstuffs can be considered safe.

For many users, moving away from QUAT on food contact surfaces will likely increase factory costs, training time and potentially efficacy. With all other biocides poised to follow suit, the UK food industry may find themselves moving backwards to introducing more water back in to the environment to negate the risk of being named and shamed for MRLs by the Chemicals Regulation Directorate and therefore increasing risk to public health.

To a food manufacturer, the financial and PR impact of a recall of product that has become contaminated by microorganisms is huge, not to mention the time off for sickness or even loss of life for the individual that consumes such products.

Without the right biocides for the job, the food manufacturers and industry itself are in a no-win situation.

The future of biocides

What is normally said in such times is that such changes and restrictions will lead to new innovation with industry leading the way. Certainly one can see that some time in the distant future alternative technical solutions will emerge, such as antimicrobial surfaces deployed in all plants, or the use of fixed bacteriophages to manage bacterial contamination. Indeed many of these solutions are now being worked on, but they are still probably a long time to implementation. Equally given the financial demands and conservative nature of registering a new technology within the European framework, the process is expected to be both lengthy and challenging.

In the short term, we in industry need to pull together to champion our biocides and our successes in keeping consumers protected from food pathogens. We need to ensure we’re as well educated as we can collectively be to ensure that we chemical manufacturers, food manufacturers, processors and retailers, aren’t required to muddle through the legislation taking uncalculated risks with food safety, jeopardising public health or risking business closure. It’s incumbent on us to be a voice for good food hygiene which after all is all about controlling harmful bacteria, the very thing biocides are designed to do.
Regulatory Round Up
from Ian Thomas

Ian Thomas is a specialist regulatory barrister practising from Chambers at 6 Pump Court, Temple, London. Ian’s main areas of work are; food and drugs, product safety, trading and consumer law, health and safety and licensing. In his wide-ranging food law practice Ian has advised on matters involving food safety and hygiene, due diligence, labelling and food information, health and nutrition claims and food supplements. He also advises on recalls and withdrawals concerning food and non-food products. Ian provides non-contentious compliance advice on matters such as labelling, claims and food information, the classification of products and the regulatory implications of changes in process and product specification.

Sentencing update
Increases for food law offences in England and Wales

In the first of what we hope to be a regular feature in Focus, we bring you a brief round-up of selected issues relating to food law and regulation. This brief column can do no more than touch on a very small part of our food world but hopefully it will inform and interest in equal measure. Comments are my own and do not necessarily reflect the views of SOFHT, its management team or its members.

In respect of food law offences committed on or after 12th March 2015 the magistrates’ court now has the power to impose unlimited fines. This is due to the enactment of section 85 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO).

At first, and possibly second, glance this is an alarming development. If the fines are unlimited how will defendants know how much they might be fined, how will magistrates deal with their new powers and how will this vary from court to court and from area to area?

In part the answer lies in the second development; the sentencing guidelines for food safety and hygiene offences published by the Sentencing Council. At the time of writing, summer 2015 the guidelines are not yet in force but the intention is that they will be in place to “assist magistrates in applying fair and proportionate sentences when their new fining powers come into effect”. The first cases in which unlimited fines will be a sentencing option are likely to reach the courts during the second half of 2015. However it seems likely that the sentencing guidelines will not now take effect until early 2016.
Food business operators and their advisers should familiarise themselves with the detail of the sentencing guidelines which also cover health and safety and corporate manslaughter offences.

The courts will adopt a step-by-step approach to guide them to an appropriate level of fine for the offence or offences under consideration.

Offences will be categorised by assessing culpability of the offender and the harm caused by the offending.

For organisations culpability will be assessed as very high, high, medium and low. For individuals the categories of culpability are deliberate, reckless, negligent and low.

There are three categories of harm ranging from 1 being the most serious to 3 being the least serious.

This assessment along with turnover for organisations and weekly income for individuals will provide the starting point fine which can then be increased or decreased to reflect the particular facts of the case.

Organisations are classified under four headings; micro (turnover not more than £2 million), small (turnover between £2 million and £10 million), medium (turnover between £10 million and £50 million) and large (turnover £50 million and over). Where an organisation has a turnover well in excess of £50 million the court is likely to consider applying a multiplier in order to arrive at a fair and proportionate sentence.

The following examples show how the guidelines are intended to operate.

In the case of a micro organisation with very high culpability in harm category 1 the starting point fine is £60,000 with a category range of fines between £25,000 and £120,000.

Where there is low culpability with harm category 3 the starting point fine is £200 with a category range of fines between £100 and £700.

A large organisation with very high culpability in harm category 1 faces a starting point fine of £1,200,000 with a category range of fines between £500,000 and £3,000,000.

At the other end of the scale a large organisation with low culpability in harm category 3 the starting point fine is £10,000 with a category range of fines between £6,000 and £25,000.

When applying the new guidelines the courts will take account of the extent to which the food business failed in its obligations.

It is essential that food businesses take urgent action to review their food safety management systems to ensure that they are robust and fit for purpose.

If this is done and proper, and accurate, records are kept the business will have a good chance of persuading the court that the offence for which it falls to be
SOFHT Silver Member Detectamet wins Queens Award for Enterprise

Detectamet Limited announces that the company has been named as winners of the Queens Award for Enterprise, the UK’s highest accolade for business success.

The award is in recognition of the company’s successful development of International Trade. Over the past three years Detectamet has continuously increased exports achieving a growth of more than 80%.

Founded in the East Yorkshire only 12 years ago Detectamet products are bought and used by food and pharmaceutical companies around the world to help to protect their products from contamination.

The company employs almost 40 people who design, manufacture and distribute products that are made using metal and X-ray detectable plastics. If pieces of this plastic end up in the food they will be identified and rejected by the metal or X-ray inspection systems used by many food manufacturing companies.

The company makes and distributes more than 300 products to more than 100 countries. They are sold through local distributors, through the company’s on-line shop or through its direct sales team.

The products include for example several types of detectable pens, detectable protective clothing, processing and handling equipment. “Our business is founded on the dual policies of continuous development of products and an undaunted drive to expand our markets” said Sean Smith the company’s CEO.

Angela Musson-Smith Detectamet’s Managing Director explained “When my husband and I started our business in 2003 we could only dream of being honoured by an award such as this. Sean and I are so grateful to our staff, suppliers and local service companies who have helped us to fulfil our hopes and make our dreams come true.”

The timing of this award adds further impetus to Detectamet’s exporting plans. Next month the company is opening a subsidiary in the USA through which it will be able to service its growing list of North American customers more efficiently.

Only one other company based in East Yorkshire has won such recognition in the past five years and Detectamet hope its success will encourage other small and medium enterprises in the county to grasp the opportunities of exporting.

Eurofins Food Testing UK has made significant investment in its Wolverhampton microbiology test facility to include new equipment and new food production site standard entry procedures which the company believes is the first time these have been introduced in a UK laboratory.

Eurofins’ microbiology staff will now follow strict food facility entry procedures which involve removing external footwear and utilising a step-over barrier before wearing separate footwear to enter the lab area. This will be combined with wearing hairnets, lab coats and using a new hand-washing facility.

Eurofins is the first laboratory to introduce such a procedure in the UK and the changes have been designed to mirror the standards and working practices that the company’s food industry customers insist on in their facilities and to minimise any risk of contamination in the food supply chain.

Eurofins has also invested in additional autoclave capacity offering high performance, versatility and safety with on-line data capture and excellent levels of sterility assurance.

For more information visit www.eurofins.co.uk
sentenced occurred despite its best efforts. Culpability will be reduced and so should the level of fine.

Where can I find out more?
Section 85 of LASPO can be found at www.legislation.gov.uk/ukpga/2012/10/section/85
The proposal for the sentencing guidelines can be accessed at the following link www.sentencingcouncil.org.uk/wpcontent/uploads/Health_and_safety_corporate_manslaughter_food_safety_and_hygiene_offences_consultation_guideline_web1.pdf

Case law update
Keeping accurate, complete and contemporaneous records is an integral part of any food business. The fundamental requirements of good record keeping are to keep it simple, complete the document when the checks are made, explain to staff why the records are being kept and the consequences if they are not completed properly.

The food business should have in place systems for checking that records are being completed correctly and be ready to implement a remedial action plan if this is not happening.

The first three cases highlight the very significant consequences of failing to abide by these simple rules.

Mitchells and Butlers
In January 2015 Mitchells and Butlers was fined £1.5 million for placing unsafe food on the market. This is a very high fine by any standards but such a fine may become be par for the course for larger organisations when the sentencing guidelines come into force. The case against M&B arose as a result of a food poisoning incident that occurred on Christmas Day 2012 in which one person died. This case is interesting for the level of fine but it is more important in respect of the punishment handed out to two employees who fabricated food records.

Food safety records had not been completed so the manager, an employee with 24 years’ experience along with the chef retrospectively completed the records. They were both convicted of perverting the course of justice. The manager was sent to prison for 18 months and the chef for 12 months.

The judge commented that there was evidence of systematic failings in record keeping at the premises.

Boddy and Moss
March 2015 saw the first conviction arising from the horsemeat investigation. Mr Boddy was fined £8,000 for breaching traceability requirements for failing to keep proper records of who bought his horses for meat. The co-accused, Mr Moss, was sentenced to four months’ imprisonment suspended for two years for falsifying an invoice.

Willy Selten
In April 2015 in the Netherlands, Mr Selten was sentenced to two-and-a-half years for falsifying documents, forging invoices and labels, and using forged documents to sell horsemeat as beef.

The prosecution case appears to have been based on Mr Selten’s deliberate actions in falsifying documents. Mr Selten admitted that mistakes were made in relation to his records but he argued that he was careless rather than deliberate. Whatever the truth of the matter the reality is the same; product was mislabelled and people were misled.

The court said that Mr Selten’s actions contributed to a negative image for the Dutch meat industry and damaged the sector’s interests. Going to prison is not the end of the story. Mr Selten has been declared bankrupt and he is facing multi-million pound damages claims.

Mohammed Khalique Zaman
The Provision of Food Information to Consumers law (FIC) is a ‘hot topic’. Providing information about allergens is an even ‘hotter topic’. Following the death of a person who had a peanut allergy a restaurant owner was charged with gross negligence manslaughter. The customer had purchased a take-away meal, suffered a severe anaphylactic reaction and died. In addition to the manslaughter charge the owner has been served with summonses alleging breaches of food law. He will appear in the crown court in September.

The circumstances of this case date back to January 2014, well before FIC became law. Nevertheless this is another case which should be a wake-up call to all businesses.

Food business operators should take immediate action to ensure they are very clear about what is in their products and to understand what is required of them under the new rules around allergen labelling.

Freeza Meats Limited
The company pleaded guilty to twelve offences against the Food Safety Order (NI) 1991 and the General Food Regulations (NI) 2004 and was fined a total of £42,500 (plus prosecution costs of £71,902.73).

The offences included: substitution of meat ingredients with cheaper product, i.e. hearts, and subsequently not declaring hearts as an ingredient on the label; failure to provide on request traceability information on nine occasions; misdescription of product as Halal when non-Halal ingredients were used; obstruction of authorised officers by ‘knowingly providing false and misleading documentation’.

Where can I find out more?
Details about the cases referred to can be obtained from the websites of the Food Standards Agency (www.food.gov.uk), Food Standards Agency Northern Ireland (https://www.food.gov.uk/northern-ireland) and the Crown Prosecution Service (www.cps.gov.uk).

Ian Thomas, barrister at 6 Pump Court, London
ianthomas@6pumpcourt.co.uk
Amanda Shipley, Catering & Retail Operations Manager at The University of Wolverhampton, is the person responsible for leading this charge, believing that the university’s food offering is an important factor in the success of the university as a whole. “The university market has become a very competitive place and the catering team recognises that we can play a part in a student’s decision to come here. We want the university to succeed and everything that we do to improve the standard of our food and the quality of our service helps that” said Amanda.

From gaining food accreditations for only using free-range eggs and encouraging healthy eating, to hiring a graduate intern who ‘speaks the language’ of social media and can help promote the catering service to students and staff online, Amanda and her team are constantly on the look-out for ways to keep on top of their game.

“One of the best things that we’ve done in recent times is organise training through The Society of Food Hygiene and Technology (SOFHT) for myself and my deputy, Stuart Rutty” said Amanda. “We felt that the catering team was making good strides and the best way to continue with that momentum would be to make sure that we were properly qualified to offer information and advice to the managers and staff that work for us.”

The catering team at The University of Wolverhampton consists of 98 regular staff as well as employing a number of students on a casual basis, so keeping on top of managerial skills and planning is essential to the mammoth task of feeding a student body of approximately 23,000.

“The Level 4 training course from SOFHT adds real value to our knowledge base, allowing us to fit senior level food safety and hygiene training around our everyday work.

We’re not just meeting legislative requirements but surpassing them, reviewing our staff training plans, assisting in the design and planning of new eating spaces, and keeping up to date with the latest EHO trends” said Amanda.

The advantage of SOFHT’s Level 4 Food Safety training course is that it is run in a carousel format so attendants can ‘hop off and on’ the course, fitting it around their work commitments instead of needing to take consecutive days away from the business. As Amanda said, “You do have to be disciplined to keep up with the coursework between sessions, but I actually found that this was a much more effective way for me to learn and as I could put the things I was learning into practice as I went along.”

The SOFHT course was designed in response to industry needs for a high level practical qualification with external accreditation; it’s perfect for food managers, production managers, area managers, hygiene auditors as well as those working at a senior level in the foodservice industry.

For more information on SOFHT’s Level 4 Food Safety course and other training events, go to www.sofht.co.uk.
Groundbreaking New Scheme sees unsold food go to people in need

- Brand new scheme called FareShare-FoodCloud to be piloted in Tesco stores to give unsold food to charities and not to waste
- New figures reveal 55,400 tonnes of food wasted within Tesco operations in the last year, around 30,000 tonnes of which could otherwise have been eaten

Tesco, a Supporting Company Member of The Society of Food Hygiene and Technology, has partnered with UK food redistribution charity FareShare and Irish social enterprise FoodCloud to trial the FareShare-FoodCloud app in the UK. Tesco has already been working in different areas of the supply chain to tackle food waste - including through its existing partnership with FareShare - and this new scheme will mean eliminating the need to throw away food in Tesco stores that could otherwise be eaten.

Using the FareShare-FoodCloud app, Tesco store managers will alert charities to the amount of surplus food they have at the end of each day. The charity then confirms it wants the food, picks it up free of charge from the store and turns it into meals for those in need. Beneficiaries will come from the wide range of charities FareShare works with including homeless hostels, women’s refuges and breakfast clubs for disadvantaged children.

FoodCloud is supplying its technology and expertise developed from its scheme in Ireland, while FareShare brings its knowledge of the UK charity redistribution market and its experience of providing food to an increasing network of frontline organisations that offer hot meals and other support for people in food poverty. All charities will be supported by FareShare to ensure they are using this surplus food safely.

The scheme is already in place at Tesco stores in Ireland, and will now be piloted in ten Tesco stores around the UK.

New figures recently published reveal 55,400 tonnes of food was thrown away at Tesco stores and distribution centres in the UK over the past year, of which around 30,000 tonnes could otherwise have been eaten.

Tesco is committed to ensuring the upfront work they do to make the scheme effective across their own stores is shared with other retailers and food companies. Dave Lewis, Tesco CEO said:

“No one wants to throw away food which could otherwise be eaten.

“We don’t throw away much food in our own operations but even the 1% we do throw away amounts to 55,400 tonnes.

“To reduce this amount even further, we’ll be working in partnership with FareShare-FoodCloud to ensure any food left unsold in our stores at the end of each day is given to local charities.

“This is potentially the biggest single step we’ve taken to cut food waste, and we hope it marks the start of eliminating the need to throw away edible food in our stores.”

Lindsay Boswell, FareShare CEO said:

“FareShare already has a long standing partnership with Tesco and the development of the FareShare-FoodCloud is a natural evolution of this.

“We understand that customers get angry when they see food being wasted in their local store. We do too and that is why we have spent 20 years developing our successful charity redistribution model.

“Our partnership with Tesco means we are already able to access surplus food from their supply chain, Distribution Centres and dotcoms.”

Tesco is the only supermarket to publish its own independently assessed food waste data. The latest publication showed that the amount of food thrown away had dipped from 56,580 tonnes in 2013/14 to 55,400 tonnes in 2014/15. The food most commonly thrown away in Tesco stores is from the bakery, followed by fresh fruit and vegetables and convenience items like pre-packaged sandwiches and salads.

Iseult Ward, Co-founder of FoodCloud said:

“FoodCloud has already been successful in connecting food outlets with charities in Ireland through our unique technological solution for surplus food redistribution.

“Our work in Ireland means that over 300 charities have already benefited from using the platform. It has helped us create a robust model that we have translated for the UK market.

“We are delighted to be working in partnership with both FareShare and Tesco so that we can bring our solution in to the UK to ensure that more charities can benefit. We are looking forward to the developments that will come about as a result of this trial.”

FareShare-FoodCloud is the latest innovation in Tesco’s work with FareShare on the provision of surplus food. The partnership spans over three years and has included activities which make food available from the Tesco supply chain, Distribution Centres and Dotcom centres. This has seen four and a half million meals of surplus food donated to support nearly 2,000 charities and community groups across the UK.

Across the food supply chain, around 1% of food waste occurs within supermarket operations. The rest is thrown away earlier in the chain - in suppliers’ fields and factories - or in customers’ own homes.

Tesco sees a shared responsibility when it comes to tackling food waste. It is working with its suppliers to cut food waste in the supply chain, and is helping customers to reduce the amount of food thrown away in their homes. Tesco ended Buy One Get One Free offers on fruit and vegetables in the UK in April 2014. Tesco has also worked with the Waste & Resources Action Company (WRAP) to include ‘Love Food Hate Waste’ hints and tips on the packaging of a number of fruit and vegetable products on sale.
SOFHT Events Calendar

Diary dates

Defence & Threats - are you prepared? Conference and Exhibition
8 Sept 15  Ashford LLP, 1 New Fetter Lane, London (9.45am - 3.00pm)

SOFHT Lecture, Annual Lunch & Awards 2015
19 Nov 15  Savoy, London

Breakfast Clubs

All events held at SOFHT Conference Room, The Granary, Middleton, Staffs

<table>
<thead>
<tr>
<th>EVENT</th>
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<tbody>
<tr>
<td>Product Authenticity, Claims and Chain of Custody Part 2</td>
<td>21 July 15</td>
</tr>
<tr>
<td>Hygienic Design of Equipment and Factory Layout</td>
<td>15 Sept 15</td>
</tr>
<tr>
<td>Personnel</td>
<td>20 Oct 15</td>
</tr>
<tr>
<td>Environmental Impact on Food Production</td>
<td>10 Nov 15</td>
</tr>
<tr>
<td>Pest Control</td>
<td>24 Nov 15</td>
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</tbody>
</table>

SOFHT Training Academy

All events held at SOFHT Conference Room, The Granary, Middleton, Staffs

<table>
<thead>
<tr>
<th>EVENT</th>
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<tbody>
<tr>
<td>Level 4 Food Safety 'Carousel' (Day 1)</td>
<td>30 Jul 15</td>
</tr>
<tr>
<td>Level 4 Food Safety 'Carousel' (Day 2)</td>
<td>27 Aug 15</td>
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<tr>
<td>Internal Auditing</td>
<td>10 Sept 15</td>
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<tr>
<td>Level 4 Food Safety 'Carousel' (Day 3)</td>
<td>24 Sept 15</td>
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<tr>
<td>Managing Your Pest Control Contract</td>
<td>1 Oct 15</td>
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<tr>
<td>Species Assurance - Insights into Product Management</td>
<td>8 Oct 15</td>
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<tr>
<td>Nutritional Analysis</td>
<td>22 Oct 15</td>
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<tr>
<td>Level 4 Food Safety 'Carousel' (Day 4)</td>
<td>29 Oct 15</td>
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<tr>
<td>HACCP</td>
<td>5 Nov 15</td>
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<tr>
<td>Level 4 Food Safety 'Carousel' (Day 5)</td>
<td>26 Nov 15</td>
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<tr>
<td>Pesticide Residues in Food</td>
<td>3 Dec 15</td>
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</tbody>
</table>

The Society of Hygiene and Technology is now offering Level 4 Food Safety Courses for both food manufacturers and caterers in a flexible ‘carousel’ format to enable busy senior managers in the food industry to secure quality training without having to leave their business for consecutive days at a time.

Unlike other Level 4 food safety training courses where modules are taken consecutively often meaning senior staff have to be off-site for up to a week, modules in SOFHT’s five day food hygiene course will be run one day a month over five consecutive months (40 guided learning hours).

Remember you can simply ‘hop on’ to module one, get back to work and ‘hop on’ again the next month!

Dates you can choose to attend are:

<table>
<thead>
<tr>
<th>Day</th>
<th>Date</th>
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<tr>
<td>1</td>
<td>30 July 15</td>
<td>Food Hazards</td>
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<td>2</td>
<td>27 Aug 15</td>
<td>Food Safety Microbial Hazards</td>
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<tr>
<td>3</td>
<td>24 Sept 15</td>
<td>Operational Requirements and Controls</td>
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<tr>
<td>4</td>
<td>29 Oct 15</td>
<td>Food Safety Management Procedures and Compliance with Food Safety Legislation (revision &amp; exam)</td>
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<tr>
<td>5</td>
<td>26 Nov 15</td>
<td>(revision &amp; exam)</td>
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Daily Rate:
£145 + VAT (Members), £195 + VAT (Non-members)
£50 + VAT (Students) There are two additional charges: the course book, a one off purchase for the whole course (£23 + VAT) and the examination on Day 5 (£38 + VAT).

Please note Days 1-4 must be completed to sit the examination on Day 5.

TO BOOK YOUR PLACE OR FOR FURTHER INFORMATION: please call the SOFHT office on 01827 872500. Due to the flexibility of this course booking online is not possible.
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RIGHT SOLUTIONS | RIGHT PARTNER
The SOFHT mock trial took place on 12th November 2014, shortly before the highlight of the SOFHT calendar; the Annual Luncheon. The venue was Brown’s Courtrooms in London’s Covent Garden which, until about 1990, been used as a real courtroom.

The trial scenario was based loosely on a real case involving an employee whose hand and arm had become trapped in a cabbage wash machine.

All the participants were, to a greater or lesser extent, ‘volunteers’. I was asked to play the role of the defence advocate and my colleague from 6 Pump Court, David Hercock, was the prosecutor. The remaining volunteers took roles as magistrates, a court clerk, an usher and witnesses for the prosecution and the defence who had been provided with ‘scripts’ of the evidence they were to give.

The delegates were jurors for the day and, along with the magistrates, they were to decide the fate of my ‘client’ who was being prosecuted for two health and safety offences.

The prosecution case was twofold; failing to provide a safe place of work and failing to ensure that the guards to the cabbage wash machine were maintained in an efficient state, in efficient working order and in good repair.

Although the event is called a ‘mock’ trial the procedure followed that of a ‘real’ court case and for some people in the room, Brown’s was possibly as close to a courtroom as they would wish to come.

Once the magistrates, looking suitably judicial, were ensconced on their bench, proceedings began. The prosecution rose to present the facts of its case. This is the first time that the decision-makers, the magistrates and the jury, get to hear about a case.
The prosecution opening sets out the evidence by which it intends to prove the guilt of the defendant ‘beyond reasonable doubt’. What the prosecuting advocate says is not evidence but he or she will base their opening speech on the evidence contained in the witness statements obtained during the investigation and any interview under caution with the defendant.

The role of the prosecution is to present sufficient evidence to the decision-maker, the magistrates or the jury, so that they are sure of the defendant’s guilt. A prosecution is not about getting a conviction at all costs.

Once the opening was concluded we got straight to the heart of the matter (if I can say ‘heart’ in a case about a cabbage washer) and the first prosecution witness was called. I do not intend to mention any of the players by name but each of them should be congratulated and thanked for putting themselves in the spotlight and for being such good sports in the name of entertainment and education.

A witness usually has to undergo three parts to their evidence; examination-in-chief, cross-examination and finally re-examination. For the witness, and indeed for the advocates, each stage presents its own challenges.

Trials are based on the oral evidence of witnesses and, in most cases, what is said and how it is said will often be very significant in determining the outcome of the case.

During examination-in-chief witnesses are asked questions which are designed to elicit the information they have put in their witness statement. The questions are asked by the advocate instructed by the party to whom the witness has provided the statement; for prosecution witnesses this might be the local authority and for defence witnesses this will usually be the food business operator.

The first couple of minutes of the examination-in-chief will involve answering questions to establish the witness’s identity, occupation, role within the organisation and any relevant experience and qualifications. These are the simple questions and should help to make you less nervous and more confident in the task ahead. It then moves on to questions about your involvement in the case.

We are all judged, rightly or wrongly, on how other people see us, and this depends on how we present ourselves. It is essential that you think about how you want to come across as a witness, after all you don’t get a second chance to make a first impression.

**Witnesses come in all shapes and sizes, metaphorically speaking, so what are the qualities of a good witness? Honesty is the best policy. If you don’t know the answer to a question say “I don’t know” rather than invent an answer which can lead to difficulties further down the line.**

I think that a food business operator and their staff could quite happily sit in their workplace and confidently and correctly answer questions about their procedures and food safety management system. However if that same person was transported to the courtroom and asked those very same questions again then the answers and the way those answers are given could be very different. It’s a bit like the difference between sitting at home or in the studio answering the questions on ‘Who Wants To Be A Millionaire’.

Answering too quickly on ‘Millionaire’ could cause you financial loss. By answering too quickly or without proper thought in the witness box you could lose the case along with your credibility and your reputation.

So how can a witness prepare for the task of giving evidence?

The answer is simple; preparation, preparation, preparation. Visiting a local court is invaluable in seeing first-hand how things are done. Of course you will get the same experience, or very similar, by attending the mock trial, and you get lunch thrown in!

The rules for giving evidence in court are the same as at work; listen to the question, understand the question and answer the question.

Respond by looking towards the magistrates or the jury and be confident, or at least try and appear confident despite the butterflies bouncing round in your stomach. We all get nervous, advocates included, but we all have our own techniques for keeping those nerves in check. Preparation plays a significant part in this process.

Back at Brown’s, after David had elicited the evidence he required the prosecution witnesses were cross-examined. Examination-in-chief is, or should be, relatively straightforward as you are recounting your evidence in a structured way to a ‘friendly’ advocate. Cross-examination is different. The gloves are off and you are now open to all the ‘tricks’ of the experienced cross-examiner.

The purpose of examination-in-chief is to elicit evidence to build the prosecution’s case. The purpose of cross-examination is to demolish, or at least, weaken the foundations of that case. This is where the cracks can start to appear but if you have prepared yourself for giving evidence you are much better placed to fend off the attack than someone who has not.

It may be thought that the most effective cross-examination occurs when the advocate is loud and forceful, perhaps raising their voice and openly trying to belittle the witness.

In my experience witnesses should usually be more wary of the cross-examiner who appears to be nice and unassuming speaking in a measured tone
Defence & Threats
– are you prepared?
Conference & Exhibition 8th September 2015

TACCP, PAS 96, food defence, biovigilence are currently topics of debate and concerns for the food industry. Since Horsegate the controls that the industry have in place are under serious scrutiny. Throughout the supply chain from retailers to suppliers, food manufacturers, supply chain auditors and enforcement authorities, systems are being reviewed and revised in order to protect the integrity of their businesses and reduce the threats to the industry.

4 leading speakers will present on the different aspects of defence and threats and how to manage the challenges the industry could face.

Speakers include British Pepper & Spice Technical Director, John Hill who will present on the managing of such challenges within the herb and spice supply chain providing examples of how these challenges can be overcome and benefit other businesses.

Leatherhead Food Research Professor Tony Hines, MBE, FIFST an internationally recognised expert in Crisis Management who has spoken widely on integrating TACCP and Food Defence in food safety systems in conferences, training courses, seminars and in his consulting business will describe how he uses PAS96:2014 and the food fraud mitigation strategies from his Caveat Emptor Training Programme with the FDF to ‘think like a criminal, map the supply chain and with Horizon Scanning identify supply chain vulnerabilities and opportunities for dilution, substitution and criminality.

Alison Johnson from Food Forensics will be discussing how businesses are struggling to work out what is required by the new BRC requirements. Both PAS 96 and BRC v 7 make it clear a vulnerability assessment is required and testing to validate supply chain integrity/claims but offer no guidance on practical approaches to this. Alison will cover the basic science of isotopes and a potential approach to using testing to reduce risk.

John Barnes, Head of the Local Delivery Division at the Food Standards Agency has worked in local government for the last 20 years along with private consultancy. He specialises in food safety – national and international negotiation presenting at a senior level. John will present on the topic of Food Security.

Can your business afford not to be in attendance?
To find out more and book your place visit www.sofht.co.uk or call 01827 872500

SOFHT Lecture, Annual Lunch & Awards 2015

The Society is pleased to announce its Annual Lecture and Lunch will be held on Thursday 19th November 2015 at The Savoy, London.

Would you like to promote your company by jointly sponsoring this highly prestigious event - renowned for being a professional, worthwhile and enjoyable day?

If this is something you are interested in and would like further information, then please do not hesitate to contact Su Werran on 01827 872500 or 07970 733371 or via email at suwerran@sofht.co.uk

Over the years the Society’s Lecture has gained a reputation for covering highly topical subjects and this year, we know, will be no exception. Our high profile Speaker Tom Heap, science, environment and rural affairs broadcaster on Countryfile and Panorama has agreed to present the SOFHT Lecture entitled ‘When food hits the lens: the diet of broadcasters’.

Can your business afford not to be in attendance?
To find out more and book your place visit www.sofht.co.uk or call 01827 872500
who is almost to the point of wanting to be your friend. If you are not careful you can find yourself agreeing with the advocate, being led down the road the advocate wants you to take until you suddenly find that you have reached the end of the cul-de-sac. At this point whatever answer you give to the next question will either be against your case or in support of the other side’s case.

If some cracks have appeared during cross-examination you can be re-examined to try and repair the damage. At any time you can be asked questions by a judge or by magistrates or their legal adviser.

It is very important that you stay alert and focused from the moment you enter the witness box to the moment you are released and leave the courtroom.

At the conclusion of the evidence and advocates’ speeches in the cabbage wash case the magistrates retired to consider their verdict. The employer was convicted by the magistrates and, if I recall correctly, by a majority of the jury. As the defence advocate I would have to say this decision was totally against the weight of the evidence!

So what lessons can be learned from attending or participating in events like the mock trial?

Being a witness, even in the friendly and relaxed atmosphere of Brown’s Courtrooms, is not easy. Getting a thought from the brain to the tongue to verbalise that thought in a clear and coherent way in unfamiliar surroundings is tough. This is particularly so when you are answering one question at a time but the advocate, like a good snooker player planning a table clearance, is thinking ahead and is already formulating his or her next two or three questions.

Witnesses cannot be trained or coached in what to say. However there is nothing improper in getting guidance in order to familiarise yourself with the court process and understanding what is expected of you as a witness. Simple techniques such as practising giving the answers to the opening questions, name, occupation, qualifications and experience etc. will be very valuable when you are finally called into the witness box for real.

Preparing for your day in court should be given the time it deserves. You have the opportunity to showcase your skills as a professional person and as a human being. Do not try to be someone you are not and never argue with or try to outsmart the other side’s lawyer, the magistrates or the judge!

The success of the mock trial is down to the hard-work and unwavering commitment of two teams; SOFHT and Greenwoods solicitors. David and I, and our colleagues at 6 Pump Court, are very proud to be associated with this and with other SOFHT events.

In conclusion I would heartily (that word again) recommend a trip to the SOFHT mock trial. It’s very enjoyable and it’s a very good learning opportunity no matter how experienced you are. You can ask all those questions about the court process you have always wanted to ask but have not had the chance to.

Combining fun with learning, along with a good lunch, is so often the recipe for a successful event.

AUTHOR
Ian Thomas is a specialist regulatory barrister practising from Chambers at 6 Pump Court, Temple, London.
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<tr>
<th>Non Tritex wipe</th>
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<tr>
<td>Easy to tear</td>
<td>Hard to tear</td>
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<tr>
<td>High linting</td>
<td>Very low linting</td>
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